

Message Text

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65

ACTION ARA-10

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FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC IMMEDIATE 6651

C O N F I D E N T I A L SANTIAGO 0401

E.O. 11652: GDS

TAGS: PINT, PINS, SHUM, CI

SUBJECT: NAVY TRIAL OF SENIOR ALLENDE-ERA PERSONALITIES

REF: A) 75 SANTIAGO 6677, B) 75 SANTIAGO 6482, C) 75 SANTIAGO 7007

1. SUMMARY: DEFENSE LAWYER REPORTS RECEIVING SEMI-OFFICIAL WORD THAT NAVY TRIAL IN VALPARAISO OF LUIS CORVALAN ET AL WILL BEGIN O/A MARCH 22. AFP REPORTS FROM SANTIAGO ALONG SAME LINE, ALTHOUGH WITHOUT GIVING DATE OF TRIAL. END SUMMARY.

2. DEFENSE LAWYER FOR PEDRO FELIPE RAMIREZ (REF A) TOLD EMBOFF JAN 16 THAT HIS CLIENT--AND HE THOUGHT OTHER DEFENDANTS BEGINNING WITH COMMUNIST PARTY SECRETARY LUIS CORVALAN--WOULD PROBABLY BE TRIED BEGINNING MARCH 22. LAWYER HAD NOT BEEN SO ADVISED OFFICIALLY BUT HAD RECEIVED PRELIMINARY INFORMATION TO THAT EFFECT. HE INFORMED HIS CLIENT ACCORDINGLY DAY BEFORE, AND FOUND THAT RAMIREZ HAD ALREADY RECEIVED WORD THROUGH PRISON GRAPEVINE.

3. LAWYER SAID THAT AS SOON AS TRIAL DATE IS OFFICIAL, HE PRESUMED HE AND OTHER LAWYERS WOULD BE GIVEN INDICTMENT AND WRITTEN EVIDENCE, WHICH THEY CAN USE TO PREPARE DEFENSE. HE HAD BEEN REPEATEDLY ASSURED THAT DEFENSE WOULD BE ACCORDED FULL RIGHTS PROVIDED UNDER MILITARY TRIAL PROCEDURE UNDER WARTIME CONDITIONS. HE
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HAD BEEN LED TO BELIEVE, HOWEVER, THAT ONLY THE THREE PERSONS

NOW IN JAIL IN VALPARAISO (PRESUMABLY RAMIREZ, SERGIO VUSKOVIC, AND ANDRES SEPULVEDA--REF B) WOULD BE PRESENT AT TRIAL; OTHERS ARE NOW IN TRES ALAMOS DETENTION CENTER IN SANTIAGO. TRIAL IN ABSENTIA WOULD BE CONTRARY TO STANDARD PROCEDURES.

4. LAWYER BELIEVES THAT SENTENCES REQUESTED BY PROSECUTION HAD BEEN REDUCED BY LOCAL ADMIRAL IN CHARGE OF PROCEEDINGS. HE NOTED THAT TRIAL COULD BE SECRET, BUT THOUGHT MORE LIKELY THERE WOULD BE A WELL SCREENED AUDIENCE.

5. ASKED ABOUT ORIGIN OF TRIAL (REF A), SOURCE SAID LATEST INFORMATION INDICATES GOC IN GOOD FAITH HAD ANNOUNCED LAST SEPTEMBER 12 THAT MOST OF THOSE NOW INDICTED WOULD BE RELEASED (REF B). PRESIDENT PINOCHET WAS CHAGRINED TO FIND THAT NAVY HAD ALREADY BEGUN PROCEEDINGS WITHOUT INFORMING ANYONE. LAWYER OPINED THAT LONG DELAY IN GETTING TO PRESENT STAGE OF TRIAL HAD COME FROM HIGH LEVEL DISCUSSION OF WHOLE QUESTION.

6. COMMENT: EMBASSY HAS HEARD OCCASIONAL RUMORS ABOUT TRIAL SINCE LAST REPORT (REF C), AND RADIO MOSCOW BROADCASTS TO CHILE AND LOCAL COMMUNIST PAMPHLETS HAVE FEATURED IT. FIRST REASONABLY HARD NEWS WAS PUBLISHED BY LOCAL PRESS JAN 15 AND 16 IN FORM OF AFP REPORT. APPEARS THAT MORE THAN ONE DEFENSE LAWYER HAS BEEN TOLD WHAT IS AFOOT, AND THAT NEWS IS GETTING OUT FAST.

7. EMBASSY WILL REPORT ADDITIONAL SIGNIFICANT INFORMATION AS IT IS DEVELOPED. WE NOTE THAT AS OF MOMENT THE NEWS IS NOT OFFICIAL, BUT TRIAL APPEARS LIKELY. TRIAL APPEARS NO MORE IN GOC INTEREST NOW THAN IT DID IN SEPTEMBER/OCTOBER. IF IT COMES OFF, WE CAN ONLY SPECULATE THAT NAVY'S LEGALISTIC VIEW PREVAILED OVER GOOD SENSE OF OTHERS IN GOVERNMENT.
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